



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

US EPA RECORDS CENTER REGION 5



435445

REPLY TO THE ATTENTION OF:

APR 19 2012

SE-5J

BY CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Connell
5709 North Glenwood Avenue
Chicago, Illinois 60660

Re: Request for Consent to Access at 947 West Cullerton Avenue, Chicago, Illinois

Dear Mr. Connell:

The United States Environmental Protection Agency (U.S. EPA) requests access to the real property located at 947 West Cullerton Avenue, Chicago, Illinois. Our request is made pursuant to the authority granted in Section 104(e)(3) and (4) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA), 42 U.S.C. § 9604(e)(3) and (4). Our review indicates that you are the owner of record of the property. Our purpose in entering the property is to determine whether a response action under CERCLA is necessary. In this respect, U.S. EPA has received information from the Illinois Environmental Protection Agency suggesting elevated levels of metals may be present in soils at this location.

We anticipate our assessment of the property will take two to three days. During the assessment, we would conduct a visual inspection of the property and take photographs. We would also take soil samples, and use a device called a "Geoprobe" to take depth samples of soils, using a grid and sampling plan. We would then prepare a site assessment report based on the information we gather. If you wish, we would give you the opportunity to take split samples from sampling locations, and furnish you with a copy of the results of sample analysis.

While Section 104(e) of CERCLA authorizes U.S. EPA to enter, at reasonable times, private property to which hazardous substances, pollutants or contaminants may have been released, it is our policy first to seek the owner's consent to entry. Accordingly, enclosed is a consent for access for your signature. Please sign this consent for access and return it to me at:

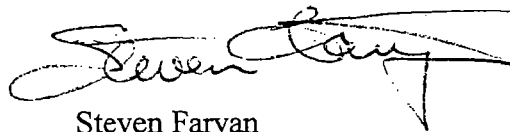
Steven Faryan
Superfund Division, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604

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as soon as possible, but no later than May 7, 2012. If we do not hear from you by that date, we may treat your failure or omission to respond as a denial of consent, and we would evaluate the alternatives available to us, which include commencing a civil action for access.

You are welcome to contact me at (312) 353- 9351 or Tom M. Williams, Associate Regional Counsel, at (312) 886-0814, if you have any questions concerning this matter. Thank you for your cooperation.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Steven Faryan", with a stylized flourish extending from the end.

Steven Faryan
On-Scene Coordinator

Enclosure

cc (w/o enclosure:
William Ryczek (SE-5J)
Tom M. Williams (C-14J)

CONSENT FOR ACCESS TO PROPERTY

Name: _____

Title: _____

Address of Property: 947 West Cullerton Avenue
Chicago, Illinois

I consent to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency ("U.S. EPA") entering and having continued access to the property, at the address identified above for the purpose of conducting a site assessment, including:

Conducting a visual inspection of the property;

Taking photographs of the property; and

Taking surface and depth samples of soils at the property.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. §§ 9601 *et seq.*

This written permission is given by me voluntarily, on behalf of myself and all other co-owners of this property, with knowledge of my right to refuse and without threats or promises of any kind.

Date

Name